

Appl. No.: 10/663,252

Amd. Dated March 14, 2005

Reply to Final Office Action of January 31, 2005

REMARKS/ARGUMENTS

Reconsideration of the rejections set forth in the Final Office Action dated January 31, 2005 is respectfully requested. Claims 1 and 3-22 have been rejected. Claim 23 has been added. As such, claims 1 and 3-23 are currently pending.

New claim 23 depends from independent claim 11, and recites that a chassis includes a backbone and that an electronic card is in communication with the backbone. Support for this new claim may be found, for example, in the Specification at lines 13-14.

Claim 1 has been amended to recite that electronic cards alone act as dividers which define at least a first flow channel and a second flow channel. Support for this amendment may be found in the Specification, as for example on page of the Specification, at lines 1-5.

Interview with Examiner Chervinsky

The Examiner is thanked for graciously speaking with the Undersigned on March 8, 2005 regarding the issue of whether the finality of the Final Office Action dated January 31, 2005 is proper. The courtesy and professionalism with which the Examiner conducted the interview with the Undersigned is greatly appreciated.

During the interview with the Examiner, the Undersigned noted that though independent claim 1 was amended in the Amendment dated December 13, 2004, independent claim 1 was amended to include the limitation of claim 2 as originally filed. Hence, all limitations in independent claim 1 were originally filed. The Undersigned further noted that, as amended in the

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Amendment dated December 13, 2004, independent claim 1 is identical to independent claim 11 as originally filed. As all limitations of claim 1, as amended, were already rejected in the Office Action dated August 13, 2004 (either by way of dependent claim 2 or by way of independent claim 11), it is respectfully submitted that the Applicants' amendment to claim 1 did not necessitate a new ground of rejection. The amendment to claim 1 simply incorporated a limitation which the Examiner had already rejected, *i.e.*, amended claim 1 is simply claim 2 as originally filed or claim 11 as originally filed. Therefore, it is submitted that the finality of the Final Office Action dated January 31, 2005 is improper. The Applicants hereby respectfully request that the Examiner reconsider the finality of the Final Office Action dated January 31, 2005.

The Applicants have amended independent claim 1 with the filing of this amendment to differentiate it from independent claim 11, and to address any potential rejections under 35 U.S.C. § 112.

Rejections under 35 U.S.C. § 103(a)

Claims 1, 3, 5-10, 11, 12, and 14-22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,949,646, issued September 7, 1999 to Lee et al. (hereinafter "Lee") in view of U.S. Patent No. 5,963,425, issued October 5, 1999 to Chrysler et al. (hereinafter "Chrysler"). Claims 4 and 13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of Chrysler and further in view of U.S. Patent No. 5,424,915, issued June 13, 1995 to Katooka et al. (hereinafter "Katooka").

Claim 11 recites an electronics assembly which includes a chassis, an electronic card within the chassis which defines first and second flow channels, a first air mover configured to cause air to flow through the first flow channel, and a second air mover configured to cause air flowing in the first flow channel to flow through the second flow channel.

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In the Final Office Action dated January 31, 2005, the Examiner admits that Lee does not disclose an electronic card that defines first and second flow channels. However, the Examiner alleges that Chrysler discloses such a limitation. The Applicants respectfully disagree with the Examiner's allegation, and submit that mother board 50 of Chrysler is not equivalent to the electronic card of claim 11. Chrysler appears to teach that electronic cards 20 and boards 20' are inserted into mother board 50 (Chrysler, column 6 at lines 10-13). Hence, mother board 50 is a backplane of a chassis or a cabinet, and not an electronic card. Since claim 11 requires that an electronic card defines first and second flow channels, and neither Lee nor Chrysler teaches such a limitation, claim 11 and its dependents are believed to be allowable for at least this reason.

Independent claim 20 recites similar limitations as recited in claim 11. Therefore, claim 20 and its dependents are each believed to be allowable for at least the reasons set forth above with respect to claim 11.

Independent claim 1 recites the limitations recited in claim 11, and is therefore also believed to be allowable over the cited art for at least the reasons set forth above with respect to claim 11. As amended, claim 1 also recites that electronic cards alone act as dividers which define flow channels. It is respectfully submitted that, as discussed above with respect to claim 11, Chrysler does not teach of an electronic card that defines flow channels. It follows that Chrysler therefore does not teach that a plurality of electronic cards alone act as dividers which define flow channels. Mother board 50 is not an electronic card. Further, mother board 50 of Chrysler appears to be attached to a non-electronic divider, as shown by lines above and below mother board 50 in Fig. 1A of Chrysler. While Chrysler appears to teach of a plurality of electronic cards (e.g., cards 20 and boards 20'), such cards do not define flow channels. Hence, Chrysler does not teach or suggest that electronic cards alone act as dividers to define first and second flow channels. Accordingly, claim 1 and its dependents are believed to be allowable over the cited art for at least this additional reason.

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Conclusion

For the foregoing reasons, the Applicants believe all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8696.

Respectfully submitted,



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